



practice[,]” but rather, only when “absolutely necessary.” LR 7.2(E), NDGa. Such absolute necessity arises where there is “(1) newly discovered evidence; (2) an intervening development or change in controlling law; or (3) a need to correct a clear error of law or fact.” Bryan v. Murphy, 246 F. Supp. 2d 1256, 1258-59 (N.D. Ga. 2003). A motion for reconsideration may not be used “to present the court with arguments already heard and dismissed or to repackage familiar arguments to test whether the court will change its mind.” Id. at 1259. Nor may it be used “to offer new legal theories or evidence that could have been presented in conjunction with the previously filed motion or response, unless a reason is given for failing to raise the issue at an earlier stage in the litigation.” Adler v. Wallace Computer Servs., Inc., 202 F.R.D. 666, 675 (N.D. Ga. 2001). Finally, “[a] motion for reconsideration is not an opportunity for the moving party . . . to instruct the court on how the court ‘could have done it better’ the first time.” Pres. Endangered Areas of Cobb’s History, Inc. v. U.S. Army Corps of Eng’rs, 916 F. Supp. 1557, 1560 (N.D. Ga. 1995), aff’d, 87 F.3d 1242 (11th Cir. 1996).


The Court finds that the two motions currently before the Court are motions for reconsideration in name only and must be denied. Neither

“motion” contains a single argument as to why the Court should reconsider its previous Order [23]. Plaintiff does not argue that there has been newly discovered evidence, an intervening change in controlling law, or that the Court’s prior Order was tainted by a clear error of law or fact. On the contrary, both of Plaintiff’s “motions” look like quintessential shotgun pleadings (and a repackaging of Plaintiff’s original Complaint)—setting forth rambling, conclusory, and largely incomprehensible allegations and assertions in an apparent effort to state a claim for relief under any legal provision Plaintiff can think of. This is plainly not a proper use of the motion for reconsideration. Accordingly, because the Plaintiff has failed to show any basis on which the Court should reconsider its earlier Order [23], Plaintiffs Motions for Reconsideration ([25] & [26]) are **DENIED**.

### **Conclusion**

In accordance with the foregoing, Plaintiffs Motions for Reconsideration ([25] & [26]) are hereby **DENIED**.

**SO ORDERED**, this 5th day of June, 2012.

  
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RICHARD W. STORY  
UNITED STATES DISTRICT JUDGE